



76

LONDON BOROUGH OF LAMBETH

Planning, Transport and Development

Sustainable Growth and Opportunity

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PROOF OF EVIDENCE

of Doug Black MRTPI IHBC

Town and Country Planning (Inquiries Procedure) (England) Rules 2000

Appeal by: Anthology Kennington Stage

Appeal site: Woodlands Nursing Home, 1 Dugard Way, LONDON SE11 4TH

Planning Inspectorate reference: APP/N5660/W/20/3248960

LB Lambeth Reference: 19/02696/FUL

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Para	CONTENTS	Page
1	Qualifications and Experience	3
2	Introduction	4
3	The Site	6
4	The Proposal and Relevant Planning History	9
5	Reason for Refusal 4 – Design and Townscape Impact	10
5.2	Proposal is out of keeping with the site, its local context and townscape	10
5.65	The scheme does not successfully integrate the proposed uses on site or with the surrounding area, creates illegible pedestrian routes	27
5.79	The proposal fails to achieve a high quality of architectural design in terms of its form, materials, and finished appearance.	31
6	Reason for Refusal 8 – Poor Quality Communal and Playspace Amenity	36
7	The Effect of the Proposal on Heritage Assets	51
7.7	Master’s House, Dugard Way	53
7.14	Water Tower, George Mathers Road	55
7.21	Former magistrates Court, Renfrew Road	57
7.24	Statutory Listed Buildings on Walcot Square	58
7.29	Statutory Listed Buildings on West Square	60
7.35	Statutory Listed building on St Mary’s Gardens	62
7.39	Lambeth Palace complex and St Mary’s Tower	62
7.47	Renfrew Road Conservation Area	64
7.52	Lambeth Palace Conservation Area	66
7.55	Walcot Conservation Area	68
7.57	West Square Conservation Area	70
7.62	Heritage Impact Conclusion	72
8.0	Effect of Proposal on Protected Views	76
9.0	Conclusion	79
	Bibliography	81

NB Figures are in a separate document.

1.0 Qualifications and Experience

- 1.1 My name is Doug Black and I am employed by the London Borough of Lambeth as Team Leader, Conservation and Urban Design. I advise the Council on matters relating to built heritage and the design of new development. I have been employed by Lambeth since April 2006.
- 1.2 I have a BSc in Town Planning from the Queen's University Belfast and an MSc in European Urban Conservation from Dundee University. I am MRTPI and IHBC.

2.0 Introduction

- 2.1 This statement sets out aspects of the case of the London Borough of Lambeth in respect of an appeal submitted by Anthology in relation to their proposals for the Woodlands Nursing Home site, Dugard Way, SE11 (hereafter "the site").
- 2.2 Had the LPA still been able to determine the application it would have refused the application for a number of reasons set out in the LPA's Statement of Case.
- 2.3 In this proof I address the following putative Reasons for Refusal:

4. Inappropriate Design and Unacceptable Impact on Townscape

The proposed layout, height and massing relate poorly to the site itself and are also considered out of keeping with the site, its context and townscape and is symptomatic of over-development. The scheme does not successfully integrate the proposed uses on site or with the surrounding area, creates illegible pedestrian routes and forms an overbearing relationship to adjacent sites which in turn would cause harm to amenity. The scheme fails to achieve a high quality of architectural design in terms of its form, materials, and finished appearance and therefore does not make an overall positive contribution to area. The proposal is therefore considered not to be of the highest quality and would be contrary to NPPF (2019) Chapters 12 and 16 and development plan policies including London Plan (MALP 2016) Policies 3.4, 3.5, 7.4, 7.5, 7.6 and 7.7; Policies D3, D4, D6, D8, D9 of the Intend to Publish London Plan (December 2019); Policies Q1, Q2, Q3, Q5, Q6, Q7, Q14, and Q26 of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policies Q1, Q2, Q3, Q5, Q6, Q7 and Q26 (Submission Version January 2020).

5. Harmful Impacts on Heritage Assets

The proposed bulk, scale and massing of development would cause less than substantial harm to adjacent heritage assets which has not been justified and is not outweighed by the public benefits of the scheme. In particular, the 29-storey element by reason of its size, architectural design and choice of materials creates a dominant building form that amplifies its incongruousness with designated heritage assets. The heritage issues that arise as a result of the unsuitable development design are symptomatic of over-development. As such the proposals would be contrary to London Plan Policies 7.7 and 7.8; Policies D9, HC1 and HC3 of the Intend to Publish London Plan (December 2019); Policies Q5 (b), Q7 (ii), Q20 (ii), Q21(ii) Q22 (ii), Q25 and Q26 (iv) of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policies Q5 (b), Q7 (ii), Q20 (ii), Q21(ii) Q22 (ii), Q25 and Q26 (iv) (Submission Version January 2020),

and;

8. Poor Quality Communal and Playspace Amenity

The proposed layout and design of communal amenity and playspace is inadequate in terms of its quality, safety and usability which in turn would result in a poor quality residential environment for future occupiers of the development. As such the proposals would be contrary to NPPF (2019) Chapters 2 and 12; London Plan Policies 3.5, 3.6; Intend to Publish London Plan (December 2019) Policies D4 and D6; Mayor's Play and Informal Recreation SPG; Lambeth Local Plan (2015) Policies H5 and Q1 and Draft Revised Lambeth Local Plan Policies H5 and Q1 (Submission Version January 2020).

- 2.4 I have illustrated my proof with recent photographs of the site context and the most recent Google street view images. Where the Appellant has not provided an illustration of the proposal in these views, I have used my best judgement (based on maps, and the application plans and elevations) to illustrate the likely effect of the proposal on the view. It should be noted that these illustrations, by their nature, are not verified and are provided only to give an indication of the likely effect.

3.0 The Site

3.1 Sections 3 and 4 of the Statement of Common Ground (“SoCG”) provide a description of the site and surroundings respectively but further detail on heritage aspects is provided here. The site is not a landmark one or a town centre location. It is a secluded back-land one occupied by a 1990s nursing home which is two storeys in height and has a front (west) carpark and garden spaces (east). It has immediately adjoining residential neighbours of a similar scale to the West (Renfrew Road), North (Castlebrook Close / Brook Drive) and East (Dante Road) which all share with the site a low-rise, suburban character.

Context

3.2 The backland nature of the site comes from its location in the North West corner of what remains of the former Lambeth Workhouse complex. The Workhouse was built as a secure facility in the 1870s and later became Lambeth Hospital. The former workhouse complex was enclosed by a perimeter wall (which now bounds the site to the north and west) and had one principal entrance at Renfrew Road. Today this historic access is supplemented by a second at George Mathers Road to the East which is of relatively recent date. The complex very much retains a backland character as a result.

3.3 The remaining historic buildings of the former Workhouse sit immediately to the South of the current Woodlands Nursing Home. They comprise the impressive Grade II listed Administrative Block which is today known as The Master’s House (occupied by the Cinema Museum) and the grade II listed water tower (in residential use). The gateway to Renfrew Road and its flanking lodges / reception buildings are locally listed. These historic buildings form one of the main components of the Renfrew Road Conservation Area (RRCA). A comprehensive history of the site can be found in the appellant’s Heritage Statement.

- 3.4 The workhouse site to the South and East of The Master's House was redeveloped c2008. At that time George Mathers Road was created. The housing on George Mathers Road comprises 2, 3 and 5 storey residential blocks. This development is considered a success within its historic context - the scale is respectful; the use of stock brick complements the historic buildings and the road layout better revealed the Grade II listed water tower which now terminates the view North up George Mathers Road.
- 3.5 The sympathetic extension and conversion of the water tower to residential use (c2009) featured in Channel 4's 'Grand Designs' and is considered a successful re-use of a listed building on the Heritage at Risk Register. The conversion is also considered to have enhanced the character and appearance of the RRCA.
- 3.6 The borough boundary with Southwark bounds to the immediate East of the application site. This adjoining area is part of the Pullens Character Area of the Elephant and Castle Opportunity Area which is characterised by two to five storey residential properties largely dating from the 20th Century. A little to the north of the application site is the West Square Character Area. The character areas of the Elephant and Castle Opportunity Area are shown in Figure 4 of Southwark's Elephant and Castle Opportunity Areas SPD (2013). See my Figure 1. To the east, beyond the Pullens Character Area, is the Central Character Area of the Opportunity Area Planning Framework (OAPF) which is identified as suitable for, and has, an emerging tall buildings cluster. Para. 4.5.16 of the Opportunity Area OAPF (2013) states: *'...However, the existing character of parts of the west, south and east of the wider opportunity area [which includes the Pullens and West Square] comprises low scale residential development, conservation areas or open spaces. These areas cannot accommodate significantly taller development'*.
- 3.7 The tall buildings cluster of the Central Character Area currently includes the following completed schemes - Strata SE1 tower (148m AOD), 80 Newington Butts (145m AOD), Two Fifty One (128m AOD), One The Elephant (127m AOD), and E&C Town Centre (124m AOD). It should also be noted that the Central Area cluster is still

evolving. I have been mindful of this when assessing the effect of the proposal. It is my understanding that several further tall buildings have been permitted but are, yet, unbuilt. These include towers at the Elephant Shopping Centre at Newington Butts / Walworth Road and the adjoining University of ARTS London site. Others may follow.

3.8 The wider context is heritage rich. The remainder of the RRCA lies south of the site along Renfrew Road beyond the Workhouse gates. It is characterised by a historic pub, a listed former courthouse, a listed telephone kiosk and a listed former fire station.

3.9 A little to the north of the site is the extensive West Square Conservation Area (WSCA) (in Southwark) which comprises largely 19th Century housing, some London squares and the Imperial War Museum. At its heart, West Square is a Georgian open space enclosed by listed buildings.

3.10 To the West is the Walcot CA (WCA) which comprises mostly Grade II listed late Georgian homes around two London squares – Walcot Square and St Mary's Gardens.

3.11 The Grade I listed Lambeth Palace complex stands about 1km to the west of the application site. The Palace is the principal feature of the Lambeth Palace Conservation Area. Standing beside the Palace and within the CA, is the Grade II listed former St Mary's Church with its medieval tower. The Palace is the subject of several important local views identified in the Lambeth Local Plan.

4 The Proposal and Relevant Planning History

- 4.1 A description of the development and the site's planning history is provided in Sections 2 and 5 of the SoCG.

5 Reason for Refusal 4 – Design and Townscape Impact

The proposed layout, height and massing relate poorly to the site itself and are also considered out of keeping with the site, its context and townscape and is symptomatic of over-development. The scheme does not successfully integrate the proposed uses on site or with the surrounding area, creates illegible pedestrian routes and forms an overbearing relationship to adjacent sites which in turn would cause harm to amenity. The scheme fails to achieve a high quality of architectural design in terms of its form, materials, and finished appearance and therefore does not make an overall positive contribution to area. The proposal is therefore considered not to be of the highest quality and would be contrary to NPPF (2019) Chapters 12 and 16 and development plan policies including London Plan (MALP 2016) Policies 3.4, 3.5, 7.4, 7.5, 7.6 and 7.7; Policies D3, D4, D6, D8, D9 of the Intend to Publish London Plan (December 2019); Policies Q1, Q2, Q3, Q5, Q6, Q7, Q14, and Q26 of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policies Q1, Q2, Q3, Q5, Q6, Q7 and Q26 (Submission Version January 2020).

5.1 I address each of the points in turn below:

Proposal is out of keeping with the site, its local context and townscape.

5.2 The site, its context and townscape are described in detail in Part 3 of this document. In Summary:

- The site is a backland one located within the confines of the former Lambeth Workhouse. It is adjoined by low-rise (two and three storeys) housing on three sides and designated heritage assets (Master's House and water tower) on the other. The existing nursing home building, being of similar scale to its low-rise residential neighbours, and in this backland location, is hardly visible from beyond the site.

- The immediate context to the west, north and east of the site is of low-rise 20th Century housing of suburban character. The housing is low density and the general character is that of an inner London suburb. To the north and east the housing is within the borough of Southwark this is the Pullens character area. Moving north and west this becomes conservation areas of mostly 19th Century housing – West Square CA and Elliott’s Row CA.
- The site is not within the Elephant and Castle tall building cluster and is separated from it by the Pullens character area which is identified as unsuitable for tall building development.(See para 2.6).
- The immediate context to the south is the Renfrew Road Conservation Area with its concentration of statutory listed buildings. (see 6.14)

5.3 Block B is a tower to the centre of the site. It comprises two interlocking tall building elements – one is part G+24 storeys and the other G+29 storeys. Its footprint is so large in relation to the developable area of the site that it has had to ‘lift its skirt’ to provide adequate open space at its base to be policy compliant. This results in an undercroft space.

5.4 The South Eastern part of Block B is G+29 storeys tall and supported by g/f piloti (the undercroft). The North Western part of Block B is lower at G+ 24 storeys and is essentially clamped around the North Western corner of the taller part. Each form has a slightly different façade cladding treatment (explained in the applicant’s D&A Statement as ‘Type 1’ and ‘Type 2’). As a result Block B (the 29 storey tower) appears as two overlapping masses in most views giving it greater bulk than a conventional, elongated point block. In views from the north the G+24 storey part is in the foreground with the G+29 storey part rising behind. In views from the south the G+29 storey element largely screens the G+24 storey part from view. The applicant’s South elevation drawing illustrates this.

5.5 Each part of Block has its own façade treatment. This is set out in sections 3.8, 4.3 and 4.4 of the Applicant’s Design and Access Statement. In general terms this is:

South Eastern part	G +29 storeys	Type 1 - Light elevation cladding overlaid with a dark structural frame exoskeleton.
North Western part	G+24 storeys	Type 2 - Dark elevation cladding overlaid with a pale structural frame exoskeleton.

5.6 The 29 storey tower on the site will be an incongruous form rising out of a backland location in a low-rise context. An exploration of the effect on the context and townscape is set out below.

5.7 The principal arrival point to the site from central Elephant and Castle is via a residential side street (Dante Road) between suburban housing which is not normally a location one would expect to find a tall building. The tallest (29 storey) part will be dominant in this view (see Appellant’s Block B, East elevation drawing). The effect will be oppressive and alien. See Figure 3.

5.8 The tall buildings within the nearby Elephant and Castle Central Area are generally prominently located in the town centre, hit the ground in a busy, urban environment, and are often activated with publicly accessible uses. For example, One The Elephant sits in a generous public space (St Gabriel’s Walk), adjoins the busy Leisure Centre and has a café on its busy street frontage. Similarly, the centrally located Strata Tower has an estate agency at ground floor and fronts a generous public piazza. In contrast, the proposed tall building on the application site will stand incongruously at the end of a suburban cul-de-sac at odds with its context of two storey suburban neighbours. It will be discordant.

- 5.9 From Castlebrook Close the effect will be equally jarring because the context is of the very modest house types in a suburban cul-de-sac. See Figure 4. Currently the existing low-rise nursing home nestles comfortably into the background giving a sense of openness and allowing a glimpse of the historic water tower. The presence at the end of Castlebrook Close of a 29 storey tower will be particularly incongruous and jarring. The proposal will loom uncomfortably over the modest houses. It will be very close and highly visible but separate.
- 5.10 Gilbert Road and the northern end of Renfrew Road are characterised by a mixture of late 20th Century two and three storey housing. Spacious front gardens on the northern side of Gilbert Road emphasise a low-density character. See Figure 5. The low, red brick property visible in the centre left of the view in Figure 5 is on Castlebrook Close.
- 5.11 Whilst it is accepted that the Elephant and Castle tall building cluster is visible in the distance it is perceived as a thing apart from the foreground residential buildings. The proposal will soar behind the modest housing in the middle of this view. It will be viewed obliquely with the G+24 storey part nearest the viewer and the taller, G+29 storey element extruded up beyond. It will appear almost as two tall buildings in very close proximity. It will be incongruous and highly visible yet not directly accessible from the view location.
- 5.12 This incongruity continues in views from Renfrew Road within the conservation area and in relation to the setting of the listed former Magistrates Court. Again, the proposal will be viewed rising behind the low-rise foreground buildings in a visually dominant manner. It reads as separate from the emerging cluster. See the Appellant's View 9. The tallest form will be nearest the viewer and the vertical extrusion of its frame detailing will emphasise its verticality and draw the eye skyward.

5.13 The narrative above clearly illustrates that the proposal is out of keeping with the site, its local context and townscape. In this regard it fails to meet a range of policy tests. The heritage policies are set out in Part 6 of this proof. The other relevant policies are:

London Plan (MALP 2016)

5.14 Policy 3.4 Optimising Housing Potential – 3.4 A requires *‘local context and character’* to be taken into account in optimising housing output. The supporting text in para 3.28 states that these issues, along with transport, are *‘particularly important’*. Block B, being alien, dominant, and jarring in form, does not meet this policy requirement.

5.15 Policy 3.5 Quality and Design of Housing Developments – 3.5 B states: *‘The design of new housing should enhance the quality of local places, taking into account physical context; local character; density, tenure, and land use mix; and relationships with, and provision of, public, communal and open spaces.....’*. As explained above, Block B does not enhance the quality of the locality. The proposal, therefore, does not meet this policy requirement.

5.16 London Plan (2016) Policy 7.4 Local Character – 7.4 A states;

‘Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area’s visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.’

5.17 As outlined above, the tower does not have regard to the form of the area, place or street in which it is proposed. Nor does it have regard to the scale of existing buildings which are prominently two and three storeys in height.

5.18 London Plan (2016) Policy 7.4 B states that *'Buildings, streets and open spaces should provide a high quality design response that:*

a has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass

b contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area

c is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings

d allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area

e is informed by the surrounding historic environment.

5.19 Given it is a tall building located on a backland low-rise location I do not consider Block B to be an adequate response to Policy 7.4 B (a).

5.20 At G+24 and G+29 storeys on a small site, the proposal does not have a positive relationship with people at human scale (ground) level. The undercroft is evidence of the over development and so too are the lack of legibility on the route through the scheme and the absence of active frontages at night. Furthermore, its backland location does not allow it to have a positive relationship with the street level. As a result, the proposal fails to meet part Policy 7.4 B (c).

- 5.21 Had the proposal been properly informed by the surrounding historic environment the amount of harm identified in Part 6 would, in my opinion, not have resulted. Therefore, the proposal does not meet part Policy 7.4 B (e).
- 5.22 London Plan (2016) Policy 7.7 Location and Design of Tall and Large Buildings (A) states that this type of development should be part of a plan-led approach and that *'Tall and large buildings should not have an unacceptably harmful impact on their surroundings.'*
- 5.23 London Plan (2016) Policy 7.7 (B) requires applicants to provide urban design analysis that demonstrates that the proposal is part of a strategy that will meet the subsequent policy criteria set out in (C) (a – i). Given that a number of those criteria are not met it must be concluded that the Appellant has failed to demonstrate such a strategy. See below.

5.24 London Plan (2016) Policy 7.7 (C) states:

'Tall and large buildings should:

a) generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport

b) only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building

c) relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level;

d) individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London

e) incorporate the highest standards of architecture and materials, including sustainable design and construction practices

f) have ground floor activities that provide a positive relationship to the surrounding streets

g) contribute to improving the permeability of the site and wider area, where possible

h) incorporate publicly accessible areas on the upper floors, where appropriate

i) make a significant contribution to local regeneration.'

5.25 With regard to Policy 7.7 I am focusing here on points (a) to (i) that relate to context/ character. In relation to 7.7 (C) (a) the site is not in the Central Activity Zone, an opportunity area, an area of intensification or a town centre. Whilst the immediately adjoining Southwark part of its immediate context is within an Opportunity Area, that character area – Pullens – is not considered by Southwark to be appropriate for tall buildings. See para 2.6. The proposal clearly does not meet this policy test. Historic England has raised concern in this regard – a tall building on the site does not follow a plan-led approach.

5.26 I explain in Part 4 and later in Part 6 of this proof that the character of the locality would be adversely affected by the scale, mass and bulk of the tall building. It therefore fails to meet Policy 7.7 (C) (b).

5.27 The proposal fails to meet Policy 7.7 (C) (c) because its alien form and excessive height within its low-rise domestic context means that it does not relate well to the character of surrounding buildings; and its backland situation within the confines of

the historic Workhouse complex means that it does not relate well to the urban grain because it does not have a conventional street frontage as would be expected of a tall building.

- 5.28 Whilst Block B has a massive scale and is visible within numerous local residential streets, it has a backland location which means it has virtually no street presence and both access routes are shared vehicle / pedestrian spaces. Furthermore, I do not consider the Cinema Museum to be a 'point of civic or visual significance' which requires emphasis. The proposal does not meet the requirements of that part of Policy 7.7 (C) (d).
- 5.29 Policy 7.7 (C) (d) also states that tall buildings should 'enhance the skyline and image of London'. Given the incongruity of the proposal in its immediate context and the heritage harm identified to the setting of the Water Tower (a skyline feature) in Part 6 below, the proposal does not meet this policy test.
- 5.30 As to Policy 7.7 (C) (e), the tall building element (Block B) has a skin of vertically aligned solid panels and windows overlaid by the frame exoskeleton. This approach is a conventional one. It is not innovative. I do not consider that is an example of the highest standard of architecture. See also para. 5.84.
- 5.31 Policy 7.7 (C) (f) seeks 'ground floor activities that provide a positive relationship to the surrounding streets'. The proposal is on a backland site which means it is already at a real disadvantage when it comes to relating to its surrounding streets. The absence of any ground floor activation is also a cause for concern on community safety grounds. See below where issues relating to permeability are also addressed.
- 5.32 In Section 7 I identify harm to a locally designated view. This harmful effect is at odds with Policy 7.7 D (b) which states '*Tall buildings: (b) should not impact on local or strategic views adversely.*'

5.33 Intend to Publish London Plan (December 2019) also has policies which require development to have acceptable impacts on local character and context.

5.34 Policy D3 Optimising site capacity through the design-led approach – D3 Part A requires a ‘design -led approach’ that ‘requires consideration of design options to determine the most appropriate form of development that response to a site's context and capacity for growth [...], and that best delivers the requirements set out in Part B'.

5.35 I do not consider that the proposal meets Part B (1) which requires that development should:

1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions

5.36 I do not consider that the scale of Block B would ‘enhance’ the local context because it will be incongruous. I consider it to harm local distinctiveness by virtue of its height and the resultant dominant incongruity.

5.37 Policy D3 continues:

‘3) be street-based with clearly defined public and private environments’

5.38 I do not consider that the proposal does adequately provide a clear definitions between what is public and what is private. As stated elsewhere in this proof, I consider that there is over reliance on the public realm to provide for the private

amenity needs of residents. This goes against the spirit of this policy which sees merit in the differentiation of the two environments.

5.39 Policy D3 continues:

'6) Provides active frontages and positive reciprocal relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest.'

5.40 As stated elsewhere in this evidence I do not consider that the building uses at ground floor along the proposed public route will contribute liveliness and interest. Indeed, I consider the lack of animation and activity likely to have an adverse effect on community safety at night.

5.41 Policy D3 Part B (11) states that proposals should:

'Respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.'

5.42 The proposal does not 'respect' or 'enhance' the settings of the heritage assets which immediately adjoin it, and which are valued features of the locality: see below. Nor does it respect the prevailing low-rise character of its context which is a key positive aspect of the character of the locality.

5.43 D9 Tall Buildings: (B3) states that tall buildings should only be developed in locations that are identified in Development Plans. In the context of the Lambeth Local Plan (2015) the relevant maps can be found in Annex 11. Neither the application site, nor its locality, are identified in the Lambeth Local Plan as suitable for tall buildings. The rest of Policy D9 is based on the presumption that B3 has

been met. The additional policy requirements that relate to context and character are set out below.

*'C1b – reinforce the spatial hierarchy of the local and wider context
C1c – architectural quality and materials of exemplary standard
C1d – avoid harm to the significance of heritage assets and their settings.
Proposals resulting in harm will require a clear and convincing justification, demonstrating that alternatives have been explored and that there are public benefits that outweigh the harm. The buildings should positively contribute to the character of the area.'*

5.44 The proposal does not meet the test in C1b because it is not located within the emerging cluster of tall buildings in the Elephant and Castle Central Area which is identified as appropriate for tall building development. Instead it stands on a backland site in a peripheral suburban location, the Southwark part of which (the Pullens Character Area) has been specifically identified as not appropriate for tall building development. As stated elsewhere, I am not convinced that the façade treatment of Block B is successful as it attenuates the building height. Therefore, I do not consider that the building to be an architectural exemplar as required by C1c. The requirements of Part C1 d are addressed in Part 7.

5.45 Lambeth Local Plan (2015) also has policies that relate to character and context:

5.46 Policy Q5 Local Distinctiveness seeks to sustain and reinforce Lambeth's local distinctiveness. Part B is set out below in full:

(b) Proposals will be supported where it is shown that design of development is a response to positive aspects of the local context and historic character in terms of:

(i) urban block and grain, patterns of space and relationship, townscape/landscape character;

(ii) built form (bulk, scale, height and massing) including roofscapes;

(iii) siting, orientation and layout and relationship with other buildings and spaces;

(iv) materials; and

(v) quality and architectural detailing (including fenestration and articulation).

5.47 For the reasons outlined already in this section and set out in Part 7 (where the townscape and architectural value of the heritage assets is explained – I consider these to be part of Lambeth’s local distinctiveness) I do not consider that the proposal is a positive response to parts (i) and (ii). I will address parts (iii), (iv) and (v) of this policy when assessing the design quality later in my evidence.

5.48 The corresponding policy Q5 in the Draft Revised Lambeth Local Plan (Submission Version January 2020) is a slight refinement on the existing policy. It has the same points (i) and (ii) but part (a) seeks a ‘*creative and innovative contextual response to the positive aspects of the locality and the historic character*’ which I will address in the architectural design section.

5.49 Local Plan Policy Q7 Urban design: new development – Q7 (ii) relates to local character. It states that development will be supported if:

‘(ii) it has a bulk, scale/mass, siting, building line and orientation which adequately preserves or enhances the prevailing local character; or, in the

case of regeneration and opportunity areas where the context is changing, it respects and contributes towards the intended future character of the area.'

5.50 It is my opinion, for the reasons already outlined above and in Part 7, that the proposal does not preserve or enhance the prevailing local character much of which is derived from the historic built environment.

5.51 The corresponding policy Q7 in the Draft Revised Lambeth Local Plan (Submission Version January 2020) is a slight refinement on the existing policy. Part (ii) now reads:

“(ii) it has a bulk, scale/mass, siting, building line and orientation which adequately preserves or enhances the prevailing local character. Where the context is changing, the proposed development should contribute towards the intended future character of the area.’

5.52 The proposal does not preserve or enhance the prevailing local character and thus fails to meet this policy test. I also do not consider this an area of ‘changing context’ (in Lambeth or Southwark) for the purposes of this policy as there are no renewal or redevelopment aspirations for the immediate context of the site.

5.53 Local Plan Policy Q14 (e) Development in Gardens and backland sites. The application site may not be a typical backland site (such as one occupied by domestic garages) but it exhibits backland characteristics as a result of the layout of the historic Lambeth Workhouse.

5.54 The Workhouse was a secure facility with one principal entrance. It was also largely set back behind existing buildings. The complex, even much-reduced as it survives today, remains ‘tucked away’ behind street frontage buildings. Added to that, the application site is further tucked away into a corner of the complex surrounded by

other developments (most of which have conventional street frontages). Given the above, and the fact that the application site does not have a conventional street frontage of its own, I consider it to be a backland site.

5.55 Policy Q14 (c) has two parts relating to how backland development should respond to character and context. These are outlined below. New development will be supported where:

(ii) any increases in height (in relation to existing development on the site) will not have any adverse impact;

(iii) forms and heights remains subordinate to its built context;

5.56 In relation to (ii) I have already identified adverse impacts on the prevailing local character and local distinctiveness and Part 7 identifies heritage harm. The scheme thus fails to meet this policy requirement.

5.57 In relation to (iii) given that the properties adjoining Renfrew Road are 3 storeys, the properties on Castlebrook Close and Dante Road are 2 storeys, and the workhouse buildings are of relatively modest height, Block B is clearly not subordinate to its context.

5.58 The corresponding policy Q14 in the Draft Revised Lambeth Local Plan (Submission Version January 2020) is not relevant to this case because the content on backland sites has not been carried forward.

5.59 Q26 of the Lambeth Local Plan (2015) sets out a range of detailed requirements for tall buildings. In relation to character and context (iv) is most relevant. It states:

iv) the proposal makes a positive contribution to the townscape and skyline either individually to form a distinctive landmark or as a contribution to a group;

5.60 Given the scale, the dominant and jarring effect it has on the immediate context, and the harm to the setting of heritage assets (Part 7) and to a locally designated view (Part 8), I do not consider the proposal makes a positive contribution to either townscape or skyline. In my opinion for a tall building to be a successful 'distinctive landmark' it needs to either contain a use of significance or mark a place of significance. I do not consider the application proposal, given it is a residential tower in a backland location away from the centre, to meet those tests.

5.61 Policy Q26 Tall Buildings in Draft Revised Lambeth Local Plan (Submission Version January 2020) has been substantially re-written. Part (a) relates to proposals in locations identified in Annex 11 of the Plan :

'Having particular regard to the international obligation to preserve the OUV of the Westminster World Heritage Site and taking into account the desirability of preserving the settings of heritage assets, proposals for tall buildings will be supported where they are in locations identified as appropriate for tall buildings in Annex 11 and where:

i) will not adversely impact on strategic or local views;

ii) design excellence is achieved (form, proportion, silhouette, detailing and materials etc.);

iii) the proposal makes a positive contribution to public realm and townscape including at street level, whether individually or as part of a group;

iv) where proposed near existing tall building groups, proposals should follow the established principles of group composition such as noticeable stepping down in height around cluster edges;

v) the proposal adequately addresses the criteria in London Plan policy D9C in terms of acceptable visual, environmental and functional impacts including microclimate, wind turbulence, noise, daylight and sunlight, reflective glare, aviation (including the safeguarded zones around Heathrow Airport, London City Airport, Battersea Heliport and the helipad at Kings' College Hospital), navigation and electronic communication or broadcast interference; and

vi) it can be shown that the site can accommodate the uses and quantum of development proposed in terms of meeting acceptable standards of amenity, access, accessibility and servicing.

5.62 Part (b) relates to sites that have not been identified as appropriate for tall buildings. It reads:

'Outside the Annex 11 locations there is no presumption in favour of tall building development. Should tall buildings be proposed outside locations identified in Annex 11, the Appellant will be required to provide a clear and convincing justification and demonstrate the appropriateness of the site for a tall building having regard to the impact on heritage assets, the form, proportion, composition, scale and character of the immediate building and the character of the local area (including urban grain and public realm / landscape features etc.) and ensure that points (a) i) – (iv) are met. In addition:

(i) proposals for tall buildings will only be acceptable in established low-rise residential neighbourhoods where they are part of a comprehensive scheme which integrates well with the locality.

5.63 The Council does not consider the Appellant has provided the 'clear and convincing justification' that a tall building is appropriate for this location. Indeed, my analysis

has shown to the contrary in terms of the effect of its height and form on the locality and settings of heritage assets. The policy test of (b) is not met.

- 5.64 Additionally, whilst the context of the application site is an 'established low-rise residential neighbourhood' the application proposal is not a comprehensive development which integrates well with the locality and therefore it does not meet (b) (i).

The scheme does not successfully integrate the proposed uses on site or with the surrounding area, creates illegible pedestrian routes

- 5.65 In my proof I have already explained how the proposal's alien form and discordant appearance heighten its differences with its locality rather than integrate it. Whilst the scheme is residential like its neighbours, the back-land location physically prevents Block B's, as a tall building, from integrating successfully within its context.
- 5.66 The existing site access from Dugard Way will be maintained as part of the proposal. Additionally, a new entrance into the site is to be created from Dante Road (see Figure 3) to provide access for servicing, vehicles and pedestrians. The creation of this second entrance allows for a pedestrian route through the site linking Longville Road / Dante Road with Dugard Way (passing the front of the Cinema Museum) and on to Renfrew Road. The Appellant asserts that there is public benefit in this being a public route. I disagree.

Poor Legibility

- 5.67 Approaching from the corner of Dante Road and Longville Road a pedestrian would pass the flanks of suburban houses and their rear garden fences (little overlooking or surveillance) to reach the site (Figure 3). The pedestrian then crosses the vehicular shared surface / servicing area. At that point they may feel that they have strayed into a private residential environment as all the uses, even at ground floor are ancillary residential ones. The pedestrian must then pass beneath the undercroft of

the 29 storey Block B, through the hard landscaped area, and make a 90 degrees turn left to arrive at the Cinema Museum. The illustration on page 97 of the applicant's D&A Statement illustrates this route clearly. This route is neither intuitive nor legible.

5.68 Additionally, the undercroft space is supported by four large 'V' shaped structural columns which physically restrict the view ahead. This can be seen in the illustrations on pages 116 and 117 of the Appellant's D&A statement and on page 24 of the Landscape Strategy. Angled columns are notoriously problematic for pedestrians especially for the blind and partially sighted as people walk into them. I note that this 'Central Square' must also double-up as a play space for children. They too are at risk of running, skating, scooting or cycling into the angled piloti. The combination of the predominantly residential character of the development, the 90 degrees turn in the route and the angled columns make for an illegible route which is potentially unsafe due to the absence of natural surveillance at ground floor level along the route from Dante Road, along Dugard Way (Cinema Museum does not have active frontage) and beneath Block B itself (the elevation below the undercroft).

Need for additional public route

5.69 The nature of the historic Workhouse site means that the only existing route through the site from Dante Road to Renfrew Road (George Mathers Road) is not straight and I accept that it is not the most legible itself. However, George Mathers Road is fronted with ground floor residential units and numerous property entrances close to the pavement and for much of its length it functions as a conventional street. I consider it safer for pedestrians than the proposed route. In contexts where legibility and natural surveillance are not optimal it is better to improve existing routes rather than create additional illegible routes.

5.70 In addition, it is desirable to concentrate pedestrians on one route so that there is safety in numbers. The creation of additional routes in locations of relatively low footfall risks thinning out the pedestrians and making them more vulnerable to crime; especially at night and around late night uses. Furthermore, residents of the

proposal, should it be erected, would probably also feel safer if there was not a public route running through their amenity space. For these reasons I conclude that the proposed public route is unnecessary and potentially unsafe. It is not a public benefit and should not be considered as one.

5.71 In planning policy terms the proposed new public route fails to meet Lambeth Local Plan Policy Q6 Urban Design which states that the Council will support development that provides:

(iii) improved legibility, permeability and convenient access via direct routes for all users (but avoiding alleyways and back lanes)

5.72 It should be noted that the updated policy in the Draft Revised Lambeth Local Plan Submission Version January 2020 retains the same wording.

5.73 This aspect of the proposal also has implications for community safety and does not meet the requirements of Lambeth Local Plan (2015) Policy Q3 Community Safety, which states:

(a) In order to create a safe borough for all users, the council will expect development to utilise good design to:

i) design out opportunistic crime, anti-social behaviour, and fear of crime in a site-specific manner, based on an understanding of the locality and likely crime and safety issues it presents;

ii) pay particular regard to space and communal areas within developments (particularly cycle stores and refuse stores;...)'.

5.74 Draft Revised Lambeth Local Plan Submission Version January 2020 Policy Q3 Safety, crime prevention and counter terrorism has a revised wording but ultimately seeks the same outcomes in this regard. It states:

(b) In order to create a safe borough for all, the council will expect good design to:

i) design out opportunistic crime, anti-social behaviour, violence and fear of crime in a site-specific manner, based on an understanding of the locality and likely crime and safety issues it presents;

ii) pay particular regard to shared public spaces and communal areas (particularly cycle stores and refuse stores); and'

5.75 The Intend to Public London Plan's Policy D3 B (3) and (5) have similar aspirations:

'(3) be street based with clearly defined public and private environments' and '(5) achieve safe, secure and inclusive environments.'

5.76 The Mayor's Accessible London: Achieving an Inclusive Environment SPG 2014 places emphasis on the access needs of the capital's disabled and older people. Para 4.4.6 outlines some key issues to consider which include the legibility of the layout and whether people feel comfortable navigating the space particularly for older and disabled people, including (but not limited to) people who are blind or partially sighted, people with cognitive impairments, neuro-diverse conditions or learning difficulties.

5.77 It is my opinion that the illegible nature of the route, and the presence along it of a cluster diagonal structural elements, does not make it safe or inclusive, especially for those with visual impairments.

Forms an overbearing relationship to adjacent sites

5.78 My evidence elsewhere in this proof explains the adverse effect of Block B's height and form on its neighbours at Castlebrook Close (para 5.9), The Master's House (para 7.7), the Water Tower (para 7.14) and adjoining properties on Gilbert Road / Renfrew Road (5.10). This is best illustrated in Figures 3 – 11.

The proposal fails to achieve a high quality of architectural design in terms of its form, materials, and finished appearance.

5.79 Here, I explain how the design aesthetic of the proposed tall building does not meet the policy objective of design excellence.

5.80 London Plan (2016) Policy 7.6 Architecture is set out in full below:

Strategic

A) Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.

Planning decisions

B) Buildings and structures should:

a) be of the highest architectural quality

b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm

c) comprise details and materials that complement, not necessarily replicate, the local architectural character

d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to

privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings

5.81 London Plan (2016) Policy 7.7 Location and design of tall and large buildings includes design requirements. The relevant parts state that tall buildings should:

'7.7 (C) (e) incorporate the highest standards of architecture and materials, include sustainable design and construction practices.'

5.82 Intend to Publish London Plan (2019) Policy D9 Tall buildings includes design quality requirements. C (1) It states that proposals should address the following impacts:

(c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan

5.83 In relation to building aesthetics Lambeth Local Plan (2015) Policy Q7 Urban design – new development supports new development if:

(i) it is of a quality design which is visually interesting, well detailed, well proportioned with adequate detailing/ architectural interest (which can include accent colour, decoration and ornamentation);

5.84 The requirement above is carried over unchanged into the same policy in Draft Revised Lambeth Local Plan Submission Version (January 2020).

5.85 Lambeth Local Plan (2015) Policy Q26 tall and large buildings also has a design aesthetics requirement:

(a) (iii) design excellence is achieved (in terms of form, silhouette, materials, detailing etc.);

- 5.86 The requirement above is carried over unchanged into the same policy in Draft Revised Lambeth Local Plan Submission Version (January 2020).
- 5.87 In summary the adopted and emerging London Plan and Lambeth policies seek to set high aesthetic standards: ‘a positive contribution’; ‘highest architectural quality’; ‘highest standards of architecture’; ‘quality design’; and ‘design excellence’.
- 5.88 Design excellence is a subjective matter, and everyone will have an opinion of what is good and bad. It is my professional opinion that, as new buildings do not exist in a vacuum, a major consideration in assessing the quality of their visual aesthetic (as opposed to functional design) is how comfortably they sit within their existing or emerging context.
- 5.89 The existing context, as set out in Part 2 and Part 7, is heritage rich. There is no new emerging context in the immediate vicinity of the site. A little further away is the tall buildings cluster of the Central Area of the Elephant and Castle Opportunity Area. That currently incomplete cluster, with towers thinly spread at present, will be denser and more pronounced when the seven approved but unbuilt towers are added. Others may follow. I consider the success of any tall building cluster, especially the Elephant and Castle cluster, to be its compactness which is essential for it to read as a distinct place. If a cluster straggles out in all directions it loses definition. Given its distance from the cluster and its height Block B will dilute the aesthetic and spatial effect of the emerging cluster.
- 5.90 Returning to architectural aesthetics, whilst it is often the case that detailed design can lessen perceived bulk and play down the sense of mass, in the case of Block B its incongruity of scale is so problematic that I do not consider that good façade design can mitigate its adverse effect. This is both in relation to its low-rise

neighbours (see Part 4) and its heritage impacts (see Part 6). In terms of the effect on views (see Part 7) detailed design is imperceptible – only the basic built form is appreciable at the viewing distance involved.

- 5.91 In very immediate relationships, such that with Castlebrook Close, no amount of good design will lessen the oppressive effect of the scale and the incongruity of the proposal in relation to its modest domestic neighbours. The illustration on page 115 of the Appellant's D&A statement gives an idea of the visual effect.
- 5.92 It is only in medium views that architectural treatment of the part G+24 and G+29 storey building might achieve a degree of beneficial effect. Although I do not consider the proposal achieves this.
- 5.93 The Appellant's D&A states the facade treatment/composition of Block B takes inspiration from movie celluloid - reinforcing the historic connection of the Master's House with Charlie Chaplin and the link to the Cinema Museum which currently occupies the Master's House. However, whilst the celluloid approach is an interesting one, the resulting design is so abstracted from the appearance of actual movie celluloid that it becomes meaningless. If the casual viewer does not readily 'get it' then it is not effective. I do not consider the celluloid concept a success.
- 5.94 Block B is in two interlocking parts. Both have a skin of vertically aligned solid panels and windows overlaid by the frame exoskeleton. This approach is a conventional one. It is not innovative. I do not consider that it exhibits design excellence.
- 5.95 The horizontal elements of this frame are on alternate floors on the lower levels and then increase in spacing as the building rises. This has the effect of extruding the verticality at the upper parts of the two interlocked masses that form the tower. The resulting vertical extrusions emphasise the upper parts of the building and draw the eye skyward. The effect of the already problematic height is amplified rather than suppressed. This approach, in my opinion, worsens the effect of the proposal

in medium views and on the settings of heritage assets (Part 6). I do not consider that design excellence is achieved if a building looks incongruous in its context.

5.96 The careful selection of colours is another way of ‘playing down’ the effect of a tall building. A calm and recessive effect can be achieved using pale materials and avoiding contrasting materials. This can lessen a building’s visual impact. The vertical strips in browns and terracotta red picked out with white framing do not give a recessive effect when the building is viewed from medium distances. I do not consider them successful given the scale and mass of the building. Design excellence is not achieved.

5.97 Given the above I do not consider that the proposal meets the high design standard that policy sets for development in Lambeth, especially tall buildings. Nor does it *‘create an innovative contextual response to the positive aspects of the locality and the historic character’* as required by policy Q5 in the Draft Revised Lambeth Local Plan (Submission Version January 2020).

6 Reason for Refusal 8 – Poor Communal and Playspace Amenity

The proposed layout and design of communal amenity and playspace is inadequate in terms of its quality, safety and usability which in turn would result in a poor quality residential environment for future occupiers of the development. As such the proposals would be contrary to NPPF (2019) Chapters 2 and 12; London Plan Policies 3.5, 3.6; Intend to Publish London Plan (December 2019) Policies D4 and D6; Mayor’s Play and Informal Recreation SPG; Lambeth Local Plan (2015) Policies H5 and Q1 and Draft Revised Lambeth Local Plan Policies H5 and Q1 (Submission Version January 2020).

- 6.1 The application site layout sees a parking and servicing area at the newly created Dante Road entrance of the site (annotated as an ‘entrance yard’ in the Landscape Strategy (LS)), and a parking area / turning head on Dugard Way where the site adjoins the Cinema Museum access route (labelled ‘Museum Court’ in the LS). Linking the two diagonally is a generous paved area - a new public route through the centre of the site. In the LS this central area is shown as two zones - the western side is part of the ‘Museum Court’ and the central part (including the undercroft) is labelled ‘Central Square / Social yards’. That route passes beneath the undercroft of Block B (referred to on page 16 of the LS as a ‘flexible space’) and between its piloti (pages 116 and 117 of the D&A). See also page 9 of the Landscape Statement.
- 6.2 In Part 5 of this statement I addressed the Council’s concerns about the proposed new public route in terms of its legibility and public safety, especially at night. I conclude that it is illegible, potentially unsafe for the public and unnecessary. The presence of this proposed public route through the site also has implications for the residents, their amenity, security and privacy.

- 6.3 This matter is particularly important given the presence of the Cinema Museum next door. The Museum functions as a historic collection and a cinema with regular events and film showings. Additionally, the museum website identifies that the venue is available for private hire; the main space having capacity for 300 persons. The 'Museum Court' half of the shared space of the application site, being immediately adjacent to the museum and being publicly accessible, will attract patrons from the museum. This is not a problem in principle but with such a high density of residential development (258 residential homes), the needs of its residents should take priority.
- 6.4 Excluding the buildings and vehicular parking / turning areas, most of the pedestrian-only space on the site will be the new public route. In the Appellant's Design and Access Statement it is referred to as 'Public space'. The amenity and playspace value to residents of such space is limited because it is neither private nor secure. Furthermore, with vehicular parking and turning areas at either end, it is not particularly safe for younger children either.
- 6.5 The shared space is largely paved and some of it is the undercroft of Block B; there is a public route running through it. As a result, its usability as amenity space by residential occupiers of the scheme is limited. Its characteristics mean that it does not lend itself to the comfortable relaxation needs of the wide range of people who will be living in the two blocks. This hard paved route must serve as a play area for age ranges 5 – 11 and Youth 12 +; yet the play experience here would be like that of a school yard – hard and formal – rather than a residential environment. It offers opportunity to kick a can about and run but little else.
- 6.6 The Appellant has soft landscaped the remaining strip of land between Blocks A and B and enclosed it with a railing. It is labelled 'Residential Gardens' in the Landscape Statement. It is private and secure and set-aside for play for the youngest children. However, it constitutes only about one third of the total available space (and the narrow part running along the northern side of Block B (on boundary with Castlebrook Close) is of limited amenity value because of its shape and situation) –

the other two thirds of available space are the new 'Public Space' through the site. Furthermore, this arrangement means that there is limited space for energetic play on soft surfaces.

- 6.7 Using the GLA Population Yield calculator v3.2 the development is estimated to accommodate 456 persons of which 50 will be children. The proposed layout will not meet their needs because the design is driven by the new public route. As explained earlier in this proof, I consider that public route to be illegible and unnecessary. Its omission from the scheme and a re-design focused on the provision of a truly private amenity space dedicated to residents' needs is essential given the population density of the proposal and in order to accord with policy and guidance outlined below.
- 6.8 NPPF 2019 - para 8 states that in order to achieve sustainable development, three overarching objectives must be pursued, and opportunities taken to secure net gains across each of the different objectives. One of these, explained in Para. 8 Part (b) is social objectives, it outlines the need to create well-designed and safe built environment with accessible open spaces that reflect current and future needs.
- 6.9 I do not consider the environment well-designed nor is it safe for children's play given the public nature of the space and the presence of manoeuvring vehicles at either end. It does not meet the requirements of para. 8 of the NPPF.
- 6.10 Part f) of Para 127 states planning decisions should ensure development creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 6.11 For the reasons stated above I do not believe that the scheme would provide a high standard of amenity because it has not been designed around the needs of residents. The illustrations of the proposal within the Landscape Statement (pages 32, 49, 101, 114 and 115, 116, and 118 of the Design and Access Statement) show

‘public realm’ rather than a truly residential environment which is required for a scheme of this residential density.

- 6.12 The relevant London Plan (2016) policy is Policy 3.6 Children and young people’s play seeks to ensure that all children have access to safe, well designed and stimulating play space incorporating landscape where possible. In the supporting text para 3.40 states that in a densely urbanised city like London, safe and stimulating play facilities are essential for a child’s welfare and future development, as well as preventing health problems such as obesity.
- 6.13 Whilst I note that the residential garden has stepping-stone-like tree trunks and the part of the space nearest the Cinema Museum (labelled Museum Court on the plans) has ‘playable furniture’ (this can be seen on page 117 of the D&A), no conventional play equipment is proposed. I do not consider that the offer for children, especially in the public space, provides the opportunity for ‘stimulating play’ for the 50 children of the scheme.
- 6.14 The relevant policies in the Intend to Publish London Plan (2019) are:
- 6.15 D4 Delivering good design. Supporting text in para 3.4.8 states that the higher the density of a development the greater this scrutiny should be of the proposed built form, massing, site layout, external spaces, internal design and ongoing management. This is important because these elements of the development come under more pressure as the density increases.
- 6.16 D6 Housing quality and standards sets out the minimum space standards and qualitative design aspects to be addressed in housing developments. Table 3.2 lists the requirements of outdoor space which includes the provision of sufficient outdoor space and play space to meet the needs of residents which is easily accessible from dwellings and can be appreciated from within the dwelling. Table 3.2 (iv) states:

'Communal outside amenity spaces should:

- provide sufficient space to meet the requirements of the number of residents*
- be designed to be easily accessed from all related dwellings*
- be located to be appreciated from the inside*
- be positioned to allow overlooking*
- be designed to support an appropriate balance of informal social activity and play opportunities for various age groups*
- meet the changing and diverse needs of different occupiers'*

6.17 I do not believe that the proposal is an adequate response to the needs of residents because it expects them to share two thirds of the communal amenity space with the general public which might include patrons of the adjoining Cinema Museum. It is wrong that residents are being expected to make the best of the public space for their amenity needs given the density of the scheme.

6.18 Policy S4 Play and informal recreation Part B states:

Development proposals for schemes that are likely to be used by children and young people should:

1) increase opportunities for play and informal recreation and enable children and young people to be independently mobile

2) for residential developments, incorporate good-quality, accessible play provision for all ages. At least 10 square metres of playspace should be provided per child that:

a) provides a stimulating environment

b) can be accessed safely from the street by children and young people independently

- c) forms an integral part of the surrounding neighbourhood*
- d) incorporates trees and/or other forms of greenery*
- e) is overlooked to enable passive surveillance*
- f) is not segregated by tenure*

- 6.19 The Appellant's play strategy plan on page 36 of the Landscape Strategy illustrates the allocation of each part of the space to the needs of a particular age cohort of children. The under-fives get the residential garden, the 5 to 11 year olds are expected to play in the Museum Court (which has playable furniture and adjoins the parking area), and youth 12 + are allocated a paved area in the centre of the site. It is unclear from the plans what the teenagers might be expected to do in that space other than 'hang out' and that is unlikely given the nature of the space. None of these spaces are dedicated solely for the use of the children. Furthermore, five year olds and above are playing in public space. Whilst the area of playspace provided is technically policy compliant in terms of quantum of space, I do not consider this a 'good quality' play provision for children.
- 6.20 The advice in Supplementary Planning Guidance (SPG) documents produced by the Greater London Authority is also relevant to this case:
- 6.21 The Mayor's Housing SPG (2016) has several relevant parts. Para 2.2.11 states that communal space should be safe, accessible, inviting and well used, without fear of crime. The space should be designed to encourage a sense of ownership and incorporate appropriate boundary treatment between private gardens and communal spaces.
- 6.22 The scheme requires the future residents to share about two thirds of their communal amenity space with the general public and patrons of the Cinema Museum. I do not consider this likely to encourage the 'sense of ownership' sought by the Mayor's Housing SPG. Nor, given the public accessibility, do I consider that the space will be inviting to residents or well used by them for their day-to-day amenity needs.

6.23 Mayor's Play and Informal Recreation SPG, 2012 Para 3.1 states that the provision of good quality places to play is an integral part of the creation of lifetime neighbourhood. Para 3.3 outlines key elements required to create a good quality playable space. These are:

- *space*
- *location and accessibility*
- *an environment that encourages healthy lifestyles*
- *inclusion*
- *diversity in lifetime neighbourhoods*
- *playable space in a child-friendly city*
- *access to nature*
- *safety and security*
- *management and maintenance*

6.24 Para 3.35 outlines how good design can also help to make spaces be, and feel, more secure for children and young people and their parents and carers. Para 4.48 states that playable spaces should be properly integrated into new development and the existing context. Para 4.51 states the need to consider inclusivity for different age ranges to create outdoor space for everyone.

6.25 Whilst I accept that playable public space has an important role, the balance of public and private space within the proposal is wrong and as a result the play environment is too heavily focused in public areas making it unsafe.

6.26 Mayor's Accessible London: Achieving an Inclusive Environment SPG 2014. This SPG emphasises the access needs of the capital's disabled and older people.

6.27 Para 4.4.6 outlines some key issues to consider which include the legibility of the layout and whether people feel comfortable navigating the space particularly for older and disabled people, including (but not limited to) people who are blind or

partially sighted, people with cognitive impairments, neuro-diverse conditions or learning difficulties. Para 4.2.21 Areas of amenity space which are proposed as part of a development, whether public or private i.e. residents only, should be of a suitably inclusive design to ensure that all people can use and enjoy them.

6.28 As stated earlier in this document, I believe that the angled piloti under Block B present a risk to the young and vulnerable users which means that the public space is not an inclusive environment for all. See illustration on pages 116 and 117 of the D&A statement.

6.29 Lambeth Local Plan (2015) policies relevant to this aspect of this case are:

6.30 Policy H5 Housing standards seeks to ensure that new development provides an acceptable quantum of communal and private amenity space (communal amenity space of at least 50m² per scheme should be provided). Part c) sets out the qualitative requirements. It states:

Communal amenity space should:

- i) receive natural light;*
- ii) be screened from parking areas;*
- iii) be easily accessible to all occupants;*
- iv) be overlooked by habitable rooms to ensure safety and surveillance;*
- v) incorporate sustainable landscape principles and practices, including effective water management, efficient energy use, use of sustainable materials, and promotion of biodiversity and, where appropriate, food growing; and*
- vi) have a landscape, management and maintenance plan.*

6.31 In the Draft Revised Lambeth Local Plan (Proposed Submission Version January 2020) Policy Q5 has been revised to read:

Communal amenity space should:

- i) receive natural light;*
- ii) be screened from parking areas;*
- iii) be designed to be inclusive for all users;*
- iv) be overlooked by habitable rooms to ensure safety and surveillance;*
- v) incorporate sustainable landscape principles and practices, including effective water management, efficient energy use, use of sustainable materials, and promotion of biodiversity and, where appropriate, food growing;*
- vi) be accessible to all residents of the development, irrespective of tenure;*
- vii) be designed to support an appropriate balance of social activity and play opportunities for various age groups and;*
- viii) have a landscape, management and maintenance plan.*

6.32 For reasons outlined above I do not believe that the proposal meets part (c)(iii) or (c)(vii).

6.33 Guidance document 'Good Growth by Design' (GLA 2020) seeks to make London a Child Friendly City. On page 17 it states:

The immediate area outside the home is one that children and young people will use every day, so ensuring that it is high quality and safe is crucial.

6.34 The report highlights that some studies have found that high-rise living leads to less outdoor play by young residents and that it is important that space around high rise development is well utilised to provide good quality social and community space.

6.35 I do not believe that the publicly accessible nature of the residential amenity space will make it safe. Given that many of the units do not have outlook over the playspace, or are too high for reasonable passive surveillance, parents will be uncomfortable allowing children under 11 years of age to play unaccompanied in that space due to the presence of vehicles and the general public.

6.36 Lambeth's draft Design Code SPD (February 2020) has been written to support the Draft Revised Lambeth Local Plan (Proposed Submission Version January 2020). It has been subject to its first round of consultation and will be adopted at the same time as the local plan. Whilst it has limited weight its contents give an indication of the Council's general approach and the reasoning behind it:

Communal Amenity Spaces

2.57 These often take the form of shared gardens and roof terraces in developments of more than one dwelling. Policies H5, Q2, Q3 and Q9 are relevant to the assessment of communal amenity provision and quality. Communal landscapes should be designed for social outdoor living, a space that meets the domestic needs of all residents with a strong focus on fostering neighbourliness, strengthening the sense of stewardship. Designers should:

- 1. Understand that to be successful these locations should be private (not publicly accessible). Shared public spaces should not be counted towards private amenity space. Nor should public realm.*
- 2. Carefully consider the location and accessibility early in the design process to optimise their amenity value (including sunlight, noise, air quality etc.).*
- 3. Ensure communal spaces are domestic in character (not hard and corporate). They must serve well the every-day domestic needs of all of their users- rest and play, sun and shade, games, gardening, picnics, sunbathing, reading etc.).*
- 4. Optimise soft landscaping (to bring colour, texture and interest) and sustainable drainage).*

5. Provide a range of seating to ensure inclusive design. Stone seating should be avoided as it is not comfortable for domestic users. Metal benches with timber seats are preferable.

6. Pay careful attention to the potential impact of pedestrian routes, play areas and seating on the amenity of adjoining residential units. For example, using buffer shrub planting.

7. Strike a balance between privacy and good natural surveillance at ground level.

8. Specify and design for heavy wear and long use – especially structures such as pergolas and shelters. In the medium to long term metal framed structures (pergolas, shelters etc.) are much more robust than timber framed ones. Traditional lawns are not suitable around play equipment and benches.

9. Take care when selecting trees - anticipating future growth (its potential future impact on daylight and outlook of residents) and leaf shed, residue etc. (usability and maintenance).

10. Remember that it will often be preferable to allocate what limited outdoor space there is to communal use for all residents rather than as private amenity space solely for ground floor dwellings.

6.37 Additionally, the draft Design Code SPD provides specific advice on play space:

Play space

2.59 Play is vital to children’s development in terms of health, well-being, learning and creativity. Provision for play in new development offers benefits to the wider community providing opportunities for social interaction fostering a sense of community and social cohesion.

2.60 Whilst separate, dedicated playgrounds may be desirable in large scale developments such as large estate regeneration schemes, it is accepted that dedicated play space is not always possible in smaller developments where limited open space must work hard to serve the whole community. That said this should not be used as an excuse to reduce play provision down to a few tokenistic boulders.

2.61 When approaching play provision designers should:

- 1. Locate it in accessible, attractive places with good natural surveillance away from hazards, unacceptable noise and poor air quality.*
- 2. Ensure all children in the development irrespective of tenure have equal access to all of the play spaces.*
- 3. Ensure adequate sunlight, greenery/ soft landscaping and sufficient space for physical play.*
- 4. Carefully consider the amenity of adjoining residents. It may be best to place family homes closest to the play space.*
- 5. Provide seating and, where appropriate shade / shelter.*

2.62 In residential developments where separate, dedicated formal play space is not being provided designers should:

- 1. Ideally place play areas at ground level for ease of access and maintenance. Where play on roof terraces is necessary particular care should be taken with design of balustrading, screening and wind mitigation.*

2. Locate the key area of play space in a private part of the development with only secondary elements (incidental play) in public areas.

2.63 When considering play provision designers should:

1. Design for joy and delight ensuring play is inclusive for all children and allows different ages to interact.

2. Provide a variety of age-appropriate equipment / installations which balance 'risk' with 'fun' to achieve challenging play that helps with physical development.

3. Embrace the sensory value of planting, sand, water etc.

4. Use some traditional play equipment (swing, slide or see-saw etc.) where space allows.

5. Remember the need for physical exertion – running, jumping and tumbling and provide adequate space and appropriate surfaces to accommodate it.

6. Design/ specify for heavy use and ease of maintenance bearing in mind the nature of the development and the burden of cost on residents.

2.64 For further information see Play England's Design for Play: A guide to creating successful play spaces, and the guidance set out in the Mayor's 'Shaping neighbourhoods: Play and Informal Recreation SPD, 2012.

2.65 The need for children to learn through day to day play makes access to outdoor play particularly important. For more information see The Knee High Project Report (March 2013) which was jointly commissioned by Lambeth and Southwark.

6.38 Although the Council's Draft Design Code SPD has limited weight much of its content is drawn from established best-practice guidance and its high aspirations in terms of achieving 'joy' and 'delight' and 'balancing risk with fun' are driven by an identified need to improve children's play experience. For too long play has not been taken seriously and this is reflected in some of the troubling statistics found within the Lambeth / Southwark commissioned Knee High Project Report (2013) which sought to identify opportunities for improving health and wellbeing of children in their early years. In Section 1.3 it draws on evidence from elsewhere and states:

'...Playtime is reducing. Playtime may have decreased by as much as 50% since the 1970s. A survey commissioned by Play England found that 71% of adults played outside every day when they were children whereas only 21% of children do so today.

A survey of 2000 children undertaken in 2010 found that 64% of 8-12 year olds play outside less than once a week; the distance children stray from home on their own has decreased by 90% since the 70s; and 43% of adults think a child should not play outdoors unsupervised until the age of 14.

In 1999 the Mental Health Foundation reported that the increasingly limited amount of time children have to play outside, or to attend supervised play projects was a causative factor in the rise of mental ill health in young people.

6.39 The design philosophy of the proposal – one which prioritises an unnecessary public route through a residential scheme over quality amenity and play space for residents – is flawed. It is not good design and it results in a suboptimal scheme

that fails to achieve the high quality amenity and play outcomes sought by policy and guidance.

7 The Effect on Heritage Assets

'The proposed bulk, scale and massing of development would cause less than substantial harm to adjacent heritage assets which has not been justified and is not outweighed by the public benefits of the scheme.'

In particular, the 29-storey element by reason of its size, architectural design and choice of materials creates a dominant building form that amplifies its incongruousness with designated heritage assets. The heritage issues that arise as a result of the unsuitable development design are symptomatic of over-development.'

As such the proposals would be contrary to London Plan Policies 7.7 and 7.8; Policies D9, HC1 and HC3 of the Intend to Publish London Plan (December 2019); Policies Q5 (b), Q7 (ii), Q20 (ii), Q21(ii) Q22 (ii), Q25 and Q26 (iv) of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policies Q5 (b), Q7 (ii), Q20 (ii), Q21(ii) Q22 (ii), Q25 and Q26 (iv) (Submission Version January 2020).'

7.1 Firstly, I will look at the effect on the settings of listed buildings and then move on to conservation areas. I will address the effect on views in Part 8 given that they are not heritage assets.

7.2 The Appellant's Built Heritage Statement and HTVIA document contain the relevant background information in relation to heritage designations. My approach to the analysis of heritage impact is based on established best practice. Firstly, the Annex 2 Glossary of the NPPF provides a useful definition of setting which reads:

'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'

7.3 Historic England’s ‘Historic Environment Good Practice Advice in Planning note 3 - The Setting of Heritage Assets’ (Second Edition) provides useful steps to follow when making assessments of the effect on setting. The three relevant steps I will use are outlined below:

Step 1: *Identify which heritage assets and their settings are affected*

Step 2: *Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated*

Step 3: *Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it.*

7.4 The British Standard ‘Guide to the Conservation of Historic Buildings’ (BS 7913:2013) provides advice on how to evaluate the impact of change on the historic environment. Para 5.6.5 states that ‘Magnitude of Impact’ can be plotted against the ‘Value’ of the heritage asset to reach a conclusion on the degree of effect. The BS document provides an example of such a table which is reproduced below.

Figure 2 Magnitude of Impact plotted against value

VALUE	Very High	Neutral	Slight	Moderate/ Large	Large/ Very Large	Very Large
	High	Neutral	Slight	Slight/ Moderate	Moderate/ Large	Large/ Very Large
	Medium	Neutral	Neutral/ Slight	Slight	Moderate	Moderate/ Large
	Low	Neutral	Neutral/ Slight	Neutral/ Slight	Slight	Slight/ Moderate
	Negligible	Neutral	Neutral	Neutral/ Slight	Neutral/ Slight	Slight
	No change	Negligible	Minor	Moderate	Major	
MAGNITUDE OF IMPACT						

- 7.5 I have used this table in order to ensure a degree of consistency in my approach given the wide range of designated heritage assets involved. For convenience, a copy of this table is also included in my Figures document – Figure 2.
- 7.6 In the analysis that follows I will look at each heritage asset in turn, explain the role of setting to its significance, the effect of the proposal on that significance and using the table from the British Standards document (above) I will assess the Magnitude of Impact. From this I will conclude whether the effect on setting is ‘positive’, ‘neutral’ or ‘negative’. Where the effect is negative, I will conclude whether the harm to the significance of the asset is substantial or less than substantial.

The Master’s House, Dugard Way

- 7.7 The list description of the Master’s house identifies its exterior as one of the principal reasons for its listing. See extract below:

‘ Of special interest for the architectural quality of the exterior, whose principal elevations are virtually intact and highly ornate for a workhouse building of the time, especially so for London; ‘*

- 7.8 The listing also includes group value as one of the principal reasons for listing:

** Group value with the water tower, and the courthouse and fire station in Renfrew Road (qv), altogether a good ensemble of Victorian public/institutional buildings.’*

- 7.9 Having an administrative role in the Workhouse complex the Master’s House was placed close to the principal entrance gates on Renfrew Road. The approach is an interesting one. On approach from Renfrew Road the gate piers and the canted ends of single storey lodges announce the entrance to the workhouse but there is no formal arrangement with the Master’s House. It is not readily visible on the approach.

- 7.10 The main block of the Master's House is revealed on the left only when the view passes through the gates. See Figure 6. This oblique view of the front of the building from the principal entrance into the former workhouse complex is the best view of the Master's House allowing its ornate front elevations to be viewed obliquely and thus revealing the subtle modelling of the façade brickwork and parapet. The locally listed gate lodge provides foreground context.
- 7.11 Importantly both the Master's House and the gate lodge are viewed against clear sky (the Woodlands Nursing Home is behind but screened by the Master's House. This clear sky providing a blank back drop gives the Master's House the primacy it deserves and allows the viewer the opportunity to appreciate the subtle modelling of its parapet which includes understated ball-finial enrichments. When the foreground tree is not in leaf the roof-top tank of the grade II listed water tower can be glimpsed over the rooftop. See Figure 7. The effect of a clear sky behind the Master's House and water tower is positive as the absence of visible development behind is a positive aspect of the setting and reinforces their significance.
- 7.12 Block B will be seen obliquely in the best view of the building (Figures 6 and 7). The 29 storey part will be nearest the viewer. The interlocking forms of the two parts will be clearly discernible. The proposal will loom up behind the Master's House and soar above it– becoming the dominant form and subjugating the historic building. I have illustrated my assessment of the likely effect on the images in Figures 6 and 7.
- 7.13 As a grade II listed building of national interest, The Master's House is of High value. The change to the setting as a result of the 29 storey tower rising immediately behind will be Major. Using the table from the British Standard document the Impact of Magnitude will be Very Large. This is the greatest amount of change possible. Whilst the Master's House is a robust composition the effect on setting will be negative. Given this is the best location to properly appreciate the architectural significance of the main element of the Master's House I consider the

harm to its setting to be of high level given the low-rise backland setting reflects the historic primacy of the master's House as the principal building / architectural focus of the workhouse complex. However, bearing in mind that the setting of the building, whilst important, contributes only a part of its overall significance, I consider the result to the significance of the building to be less than substantial harm.

Water Tower, George Mather Road

7.14 The water tower was listed in 2008. The list entry gives the following principal reasons for designation:

** of special architectural interest as an imposing and distinctive water tower in the Venetian Gothic style, constituting a rare feature in inner London;*

** historic associations with Lambeth Workhouse and Infirmary;*

** group value with the former workhouse administrative block, whose style it complements, and with the nearby former courthouse and fire station in Renfrew Road (qv); a good ensemble of Victorian public buildings.'*

7.15 By their very nature towers are appreciated in silhouette against the sky. I consider a clear sky backdrop to the tower very important to its significance because it allows the architectural silhouette to be appreciated as the designer intended. The tower can be seen from Brook Drive, Castlebrook Close, Hayles Street, and Longfield Road where it can be glimpsed over the rooftops. It is seen in silhouette against clear sky and the oblique nature of the views allows it to be appreciated as a 3 dimensional composition within a wider, more conventional townscape. Not dominant, it is still something of a quirky, eye-catching presence which adds roofscape interest.

- 7.16 In the views from Brook Drive (Figure 8), Dante Road/ Longfield Road (Figure 10) and Hayles Street (Figure 9) Block B will rise to the immediate right dwarfing the water tower (Block B is more than three times taller than the listed water tower) and introducing a dominant form in the townscape. The distracting treatment of the East elevation (staggered horizontals of the dark framing) heightens the contrast with the fine grain detailing of the water tower. The water tower is of High value. The change to the setting as a result of Block B rising beside it will be Major. Using the table from the British Standard document the Impact of Magnitude will be Very Large. This is a negative effect on setting.
- 7.17 Whilst the views from Brook Drive, Castlebrook Close, Dante Road and Hayles Street are pleasing ones, the most impressive view of the water tower, indeed the only view where it can be appreciated as a complete tower, is from George Mather Road (Figure 11).
- 7.18 George Mather Road was laid out with the setting of the water tower in mind (at that time the tower was derelict and unlisted but considered a positive contributor to the RRCA). The alignment of George Mather Road with the water tower allows the water tower to be the townscape focal point terminating the view down the street.
- 7.19 In Figure 11 the view down George Mather Road is framed by the apartment blocks on either side. The extension works that secured the long-term future of the water tower are not readily noticeable in this view. Again, the tower can be seen silhouetted against clear sky, the articulation of the brickwork – the vertical forms and stepped corner buttresses draw the eye skywards to the roof-top tank with its hipped roof. The result is a particularly attractive piece of townscape with the listed building as its focal point. The G+ 29 storey tower will loom up immediately behind the grade II listed water tower. More than three times taller than the water tower and substantially broader, the proposal will become the dominant form in this, the best view of the designated heritage asset. See my estimation of the proposed form shaded on Figure 11.

7.20 As a grade II listed building of national interest, the water tower is of High value. The change to the setting as a result of Block B rising behind will be Major. Using the table from the British Standard document the Impact of Magnitude will be Very Large. Whilst the water tower is muscular in character, the eye will naturally be drawn beyond it to its significantly larger neighbour. Considered along with the negative effects on the setting of the tower from Brook Drive, Castlebrook Drive, Dante Road and Hayles Street I consider the harm to its setting to be highly negative. I consider historic towers to be reliant on their clear sky backdrop for their significance but acknowledge that setting is only one element of the significance of this listed building. For that reason, I consider the effect on the significance of the water tower as a whole to be less than substantial harm.

Former Magistrates Court, Renfrew Road

7.21 The grade II listed former Magistrates Court sits on Renfrew Road to the south side of the workhouse entrance gates. It is an asymmetrical composition with a rich roofscape. The principal elevation is to Renfrew Road. In the Appellant's View 9 it is viewed obliquely with the grade II listed kiosk in the foreground and the locally listed former Court Tavern PH (framing the other side of the Workhouse entrance) beyond to the left. Both of their roofscapes are viewed against clear sky. The former Courthouse's informal roofscape of the stacks, gables and ventilators is layered and rich and currently viewed against clear sky. The emerging tall buildings cluster of central Elephant and Castle is visible off to one side. This incomplete cluster, whilst slightly distant, by its very nature draws the eye away from the listed building in these views.

7.22 As illustrated in View 9, Block B will loom out of the low-rise townscape behind the listed former courthouse. Block B stands solitary. Viewed obliquely its noticeable bulk is apparent. Although, the colour of its cladding is very similar to the materials of the former courthouse, the extruded verticality of the façade framing draws the eye skyward. It stands apart from the cluster's tall buildings and reads as something

apart from it. Its detracting presence has a negative effect on the setting of the former Courthouse.

7.23 As a grade II listed buildings of national interest, the former courthouse is of High value. The change to the setting as a result of the proposed tower rising behind the courthouse in this view will be Minor. Using the table from the British Standard document the Impact of Magnitude will be Moderate. The distracting effect on viewer's ability to appreciate the significance of the listed building is adverse. I consider this to be less than substantial harm.

Statutory Listed Buildings on Walcot Square

7.24 Walcot Square is a triangular Georgian Square sitting in the heart of the Walcot Conservation Area. The square has an East-West alignment with the narrowest end to the East. Looking to this eastern corner the roof-top tank of the Grade II listed water tower can be glimpsed over the rooftops. Most of the buildings enclosing the square are Grade II listed with the others being on the Council's Local Heritage List. The odd numbers enclose the northern side and the even numbers enclose the southern side:

Number	Listing
Nos 27 – 81 Walcot Square	Grade II
14 – 32 (evens) Walcot Square	Grade II
46, 48 & 50 (evens) Walcot Square	Grade II
52, 54 and 56 (evens) Walcot Square	Grade II

7.25 The East - West alignment of Walcot Square means that, particularly in the vicinity of Bishop's Terrace / Kennington Road eastward views terminate with the loose and

varied combination of tall buildings of the emerging Elephant and Castle tall building cluster. The tall buildings generally are well-proportioned and have a pale and recessive treatment but still their presence is dominant and the effect on the setting of the understated, low-rise charm of Walcot Square's housing is negative as they are visually distracting and draw the eye (especially those buildings with the angled roofs).

- 7.26 The foreground garden square is a key aspect of the listed buildings' setting and significance, and it allows their collective linearity, uniform horizontal parapet lines to be appreciated much more so than if the houses lined a conventional street. In this context the terraces are low ground-scrapers with regimented chimneys punctuating the skyline. See Appellant's Views 6a and 6b.
- 7.27 The proposal will rise right at the end of Walcot Square. It will completely block the view of the Water Tower. The proposal rises at the end of both terraces (Grade II listed and locally listed). Its proximity (compared to the emerging, distant cluster) combined with its mass and visual effect of being two forms overlapped, make for a dominant and intrusive form of development. The fact that it is viewed obliquely does not help – from some angles the stepped form suggests two (rather than one) building. View 6B shows a similar effect from a slightly different viewpoint within the square showing that the proposal will dominate pretty much the whole of the Walcot Square.
- 7.28 The statutory listed terraced houses are of High value. Given the adverse presence of tall buildings already, the cumulative change to the setting will be Minor. Using the table from the British Standard document the Impact of Magnitude will be Slight. The effect on setting is negative. I consider that the setting is an aspect of the significance of these buildings because of their location fronting a garden square which allows them to be viewed as enclosing elements within the historic townscape. However, I acknowledge that setting in itself can only be an element of the overall significance. The effect of the proposal on their significance will be less than substantial harm.

Statutory Listed Buildings - Nos. 20 – 24, 25 – 28 and nos. 29 - 45 West Sq. (consec.)

- 7.29 West Square is located to the north of the site within Southwark. It is a significant London garden square from the Georgian period surrounded by grade II listed buildings and lends its name to the extensive West Square Conservation Area (WSCA).
- 7.30 The central garden was designed as a private amenity space for its residents and the houses around the perimeter were designed to formally address that space. It is a carefully composed, balanced and calm architectural composition which is best appreciated when the mature trees in the garden are not in leaf.
- 7.31 The planned for and currently incomplete tall building cluster of central Elephant and Castle is visible rising up behind the listed buildings on the East side of the Square.
- 7.32 Nos. 20 – 24, 25 – 28 and 29 – 54 West Square (consec.) are Grade II listed buildings enclosing the south western and south eastern sides of the square. They have important group value together and with the other listed terraces enclosing the square and the foreground garden square makes them much more visible in townscape terms than they would be if they fronted a conventional street.
- 7.33 The Appellant's View 5B illustrates the 29 storey tall building will appear obliquely in this view. With its stepped height and interlocking forms, it appears almost like two buildings rising over the listed buildings on the south side and visible from almost every part of the square when the trees are not in leaf.
- 7.34 Listed at grade II these groups of terraced houses are of High value. The change to the setting will be Minor. Using the table from the British Standard document the Impact of Magnitude will be Slight. I consider that the setting is a key aspect of the significance of these buildings because of their location fronting a garden square which allows them to be viewed as enclosing elements within the historic

townscape. However, I also note the presence of the mature trees and the glimpses of the emerging cluster. I consider the harm to their significance as a whole less than substantial harm.

Statutory Listed Buildings - Nos. 18 – 28 St Mary's Gardens

- 7.35 St Mary's Gardens is a modest Georgian Square within the Walcot Conservation Area. The garden square is triangular with listed buildings enclosing the Northern and South Eastern sides. This latter group is nos. 18 – 28 which are modest Georgian houses in stock brick with a string parapet line and a roofline punctuated with uniform chimney stacks. Their setting in a garden square allows them to be appreciated against sky from a distance with the garden square in the foreground. They exhibit a low, ground scraper formality. See the Appellant's View 7.
- 7.36 The distant, emerging buildings of the emerging Elephant and Castle cluster can be viewed over the rooftops in views from across the square. The buildings are varied in character but generally slender and recessive in treatment. However, their pronounced verticality is in jarring contrast with the foreground listed terrace. The eye is naturally drawn skywards to the incomplete cluster, away from the low terrace and garden square. The effect on setting is negative.
- 7.37 The Appellant's View 7 shows the proposal in this context. Here the closer proximity of the proposal (in comparison to the more distant Elephant and Castle cluster) is readily appreciable. It is viewed obliquely and appears like two buildings. In this view position it obscures the tower at 80 Newington Butts. However, should the viewer move along the south side of St Mary's Gardens that tower will become visible too. The cumulative effect of Block B as a substantial, closer, form is negative.
- 7.38 As a grade II listed building of national interest, the terrace is of High value. The change to the setting as a result of the 29 storey tower rising behind the modest houses in this view will be Minor. Using the table from the British Standard

document the Impact of Magnitude will be Moderate. I consider that the setting is a key aspect of the significance of these buildings because of their location fronting a garden square which allows them to be viewed as enclosing elements within the historic townscape. However, I also note the presence of the emerging cluster. I consider the harm to its significance to be less than substantial harm.

Lambeth Palace complex (Grade I) and St Mary's Church tower (Grade II)

- 7.39 Lambeth Palace is the long-established official residence of the Archbishop of Canterbury who is Primate of the Church of England, the country's Established Church.
- 7.40 The Palace's built origins date back to the 12th Century. It sits on the banks of the River Thames representing 'Church' symbolically across the river from the Palace of Westminster (Grade I listed and a World Heritage Site) which represents 'State'.
- 7.41 The Palace's river frontage is its most public front and has long been the subject of artistic depictions of the Palace. See Figure 12. In these views the individual phases of the Palace's construction can be clearly discerned in views from left to right:
- A. Blore Building – is a mansion completed 1833 as the Archbishop's London residence. It was designed by Edward Blore in a Tudor Gothic style and is faced with Bath stone. It has a picturesque roofscape of battlements, towers and turrets.
 - B. Lollard's Tower – was erected by Archbishop Chichele in 1434-5. It is faced with roughly coursed Kentish Ragstone except to the East and South fronts which are of red brick, with stone quoins. It is battlemented and has a bell-cote on the South-east side with cusped and traceried barge-boards to its gable.

- C. Great Hall – was rebuilt by Archbishop Juxon circa 1660. It has a Gothic style windows combined, with a classical frieze and pediments. The roof is carried by buttresses , the glazed, timber framed lantern, placed centrally on the ridge of the tiled roof, has a distinctive ogee shaped dome.
- D. Morton’s Tower was built by Cardinal Morton circa 1490. It is a fine early Tudor brick building in red brick. The two five-storey towers are enlivened with battlements and turrets.
- E. Former St Mary’s Church tower (now Garden Museum) is just outside the Palace complex but viewed as part of the group. The battlemented tower dates from 1370 and is in coursed Kentish Ragstone with limestone dressings.

7.42 Figure 13 contains a photograph of Lambeth Palace complex and St Mary’s tower from across the river with these various historic buildings annotated.

7.43 Given the significance to the setting of the Palace in the views from across the River Thames it is regrettable that the tall buildings of the emerging central Elephant and Castle cluster have an adverse impact on the setting of the Palace in this view (they can be seen in the background in the photograph in Figure 11). They clearly diminish the definition of its rich and historic silhouette and introduce visual competition.

7.44 As seen in the Appellant’s View 1B, Block B will be clearly visible and contributes cumulatively to the diminution of the Palace’s silhouette. In view 1B, for example, it will disturb the silhouette of the Grade I listed Great Hall. The three views in the Appellant’s visual impact study illustrate that the proposal will track across the horizon behind Lambeth Palace as the viewer moves along the river frontage within Victoria Tower Gardens. As a result of this tracking Block B will harm the setting of each of these visible components of the Grade I Palace and St Mary’s tower.

- 7.45 As a grade I listed building the Lambeth Palace is of Very High value. The change to the setting as a result of the 29 storey tower rising behind in this view will be Minor. Using the table from the British Standard document the Impact of Magnitude will be Large. I consider that the setting in this view is particularly important to the significance of the complex because it is the River frontage. I consider the harm to its significance to be less than substantial harm.
- 7.46 In the following paragraphs I explain the effect of the proposal on the Renfrew Road Conservation Area (RRCA), Lambeth Palace Conservation Area (LPCA), Walcot Conservation Area (WCA), and West Square Conservation Area (WSCA).

Renfrew Road Conservation Area (RRCA)

- 7.47 The Renfrew Road Conservation Area Statement (2007) is no longer up-to-date. At the time it was written the Master's House and water tower were unlisted and the development on George Mather Road incomplete. At that time the emerging Elephant and Castle tall buildings cluster did not exist. However, much of the character appraisal context is still useful. It states:

'The Renfrew Road Conservation Area was first designated in 1985 in recognition that it is a unique assemblage of 19th Century civic and institutional buildings. Each of these has its own strong form based on its function and use and this variety is also reflected the architectural styles.

During the middle part of the C19th, intensification of land use took place, and Renfrew Road and the surrounding streets were laid out in a grid and developed with terraced housing. On Renfrew Road the Court Tavern public house terminated one of these terraces.

The greater numbers of residents in turn required increased public services and to this end a number of civic buildings were built on or around Renfrew Road, a large police station, the court-house with prison cells (1869), the fire

station (1868), a work-house (1870) and later an infirmary. The fire station was subsequently extended in the 1896, the infirmary became Lambeth Hospital in the 1920s and the police station (outside the conservation area) was replaced by Gilmour Section House.

The conservation area’s character is derived from Victorian buildings fronting onto Renfrew Road, and in the Lambeth Hospital site which is behind the buildings on E side of Renfrew Road and accessed via Dugard Way.

7.48 The RRCA is small in area and, as outlined above, has two parts – Renfrew Road and the former Workhouse complex. Most of the positive contributor buildings in the conservation area are statutory listed. The context beyond the RRCA to the north and west is sufficiently low rise that it does not intrude upon the setting of the RRCA. The result is a calm and unobtrusive character against which the conservation area can be appreciated.

7.49 The effect of Block B on the significance of listed buildings within the RRCA is summarised below:

Asset	Effect of Development	Location within the CA
Master’s House	Less than substantial harm	Workhouse complex
Water Tower	Less than substantial harm	Workhouse complex
Former Magistrates Court	Less than substantial harm	Renfrew Road

7.50 The proposed Block B will be highly visible from within much of the conservation area and, as outlined above, will have an adverse effect on the settings and

significance of some of its most important buildings. Given most of its significance is derived from the concentration of statutory listed buildings within the conservation area it is of High value. The broad-reaching effect of the dominant form of the proposal will result in an effect on the setting of the RRCA which will be Major. Using the table from the British Standard document the Impact of Magnitude will be Large. I consider the harm to the significance of the RRCA to be less than substantial.

7.51 I note that Historic England shares my concern about the effect of Block B on the significance of the RRCA. Its representation states:

'On the basis of the visual information in the submitted Heritage, Townscape and Visual Impact Appraisal, we consider that Block B would have an adverse impact on the character and setting of the Renfrew road Conservation area in which the development site is partially located. As illustrated in AVR09, Block B would represent a radical shift in building height in an area characterised by high quality Victorian public buildings, many of which are listed, which were designed to have a commanding townscape presence. Block B would significantly detract from these qualities that contribute to their significance as listed buildings and key components of the conservation area. We therefore conclude that harm would result to the significance of the Renfrew Road Conservation Area and its component Grade II listed buildings including the Cinema Museum, the former Magistrates Court, and the Water tower.'

Lambeth Palace Conservation Area (LPCA)

7.52 The LPCA comprises the Palace complex, the adjoining Archbishop's Park (once part of the Palace Grounds), former St Mary's Church (grade II), its former vicarage (grade II) and some historic housing along Lambeth Road (grade II). The Palace is the key component and is the reason for the conservation area designation.

7.53 The Lambeth Palace Conservation Area Statement (2017) states:

'As the official seat of the Archbishop of Canterbury Lambeth Palace represents 'Church' and as the seat of government the Palace of Westminster represents 'State'; this is exceptionally important to London and to the nation. Lambeth Palace is a complex of great significance both architecturally and historically; it contains elements dating from the early 12th century and still has a strong constitutional and physical relationship with the Palace of Westminster. This relationship has significantly influenced the development of the area over the centuries and many local buildings and projects have carried a connection with the Palace or former Archbishops of Canterbury.

'... The conservation area also looks out in part to London's exceptional river frontage which allows views of the Palace of Westminster which is the key landmark in the internationally significant Westminster World Heritage Site.'

2.37 The conservation area is a very important part of and a positive contributor to the character of the Thames in central London. It is highly visible from the river and from across the river.

- 7.54 As explained earlier (see para 7.39 onwards), Block B will result in harm to the setting of Lambeth Palace as a listed building when viewed from across the River Thames. This view is also an important one into the conservation area and therefore the effect will be negative on the setting of the conservation area. However, the proposal itself will not be seen from within the conservation area itself. Given the importance of Lambeth Palace and the concentration of other listed buildings the conservation area has Very High value. However, the change to the setting of the conservation area will be Minor. Using the table from the British Standard document the Impact of Magnitude will be Medium. Whilst I consider the harm to the overall significance of the LPCA to be low this still results in less than substantial harm.

Walcot Conservation Area (WCA)

7.55 The WCA comprises mostly Grade II listed late Georgian terraces along Kennington Road, Walnut Tree Walk and two squares – St Mary’s Gardens and Walcot Square. The draft Walcot Conservation Area Appraisal (2015) has been out to consultation. The final adoption has been awaiting the completion of local listing recommendations which were actioned on 24 July 2020. The draft document has some weight given it has been subject to consultation. It states:

‘Walcot Conservation Area was first designated (as Walcot Square) in June 1968 and represents an attractive example of late C18 and early to mid C19 terraces, including two garden squares. The boundary and name of the conservation area were altered in 1980 when it was extended on all sides.

The conservation area is notable for Walcot Square, of three sides, particularly attractive terraces, dating to 1837-9, located around a central garden. St Mary’s Garden is also of interest due to its two mid C19 terraces and one late C19 terrace located around a central garden. Some of the best examples of the remarkably complete collection of late C18 to early C19 terraces on Kennington Road are included within the conservation area, as are some fine late C18 terraces in Walnut Tree Walk. There are also several late C19 and early C20 buildings incorporated within the conservation area, many of which make a positive contribution to its character.

Walcot Square and St Marys Gardens

Also, in 1835 the trustees had an assignment of an adjoining piece of ground from Lytton George Kier and Isaac Lawrence. The land, which had previously been garden ground in the occupation of Dionysus Fairclough, was laid out to form what is known as Walcot Square, though in fact it is a triangle. This square was laid out and the houses erected in 1837–39, Nos. 9–81 by John Woodward of Paradise Street, Nos. 16–24 by Charles Newnham of Newnham Place, Paris Street, and Nos. 26–50 by John Chapman of Waterloo Road, builder.

St Marys Gardens

This is one of the attractive garden squares, of three sides, within the Conservation Area. It has a sense of modest elegance. The northern and eastern sides of the square contribute most to this as they were the first to be built, in the mid C19.

Walcot Square

This is the principal of the two garden squares and one of the area's most attractive features. The centre of the square has a particular sense of modest elegance but although a triangle it has legs leading off each corner which are less formal and have a subsidiary character. The north-eastern, western and southern terraces of the three sided square were erected 1837–39, but are by three different builders and consequently differ in design.

Appraisal Conclusion

The Walcot Conservation Area represents one of the most intact and architecturally coherent areas of late C18 and early/mid C19 town planning within Lambeth. The relationship between the landscape framework and the well-detailed buildings creates an area of strong streetscape character. The area is worthy of its conservation area designation.

The conservation area as a whole is characterised by very good groups of historic buildings and spaces. A key part of the management strategy will be the resistance to unsympathetic development. This will help to ensure that those characteristics, which define the area, are retained and not lost via a gradual process of erosion. Enhancement opportunities are limited within the conservation and lie mainly with; the repair or reinstatement of historic features and replacement of inappropriate shopfronts. These, the council believes, can be achieved through good development control and working in partnership with business owners and local residents.'

7.56 The WCA is of High value. As explained earlier, the proposal will be highly visible from St Mary's Gardens and Walcot Square – the only two historic open spaces within the Conservation Area. However, these spaces account for only part of the townscape of the Conservation Area so the change to the setting of the conservation area as a whole will only be Minor. Using the table from the British Standard document the Impact of Magnitude will be Small / Moderate. I consider the harm to its setting results from the distracting nature of the proposal which will diminish the viewer's ability to appreciate the significance of the WCA. The result is less than substantial harm to that significance.

West Square Conservation Area (WCSA)

7.57 Southwark's Conservation Area Appraisal (2013) describes the West Square Conservation Area as:

'3.1.1 The West Square Conservation Area is a notable example of high quality late Georgian and mid-19th century townscape, with a number of significant public buildings. The Imperial War Museum, with its surrounding parkland; Geraldine Mary Harmsworth Park, is the centrepiece of the conservation area. St George's Roman Catholic Cathedral is another important building.

3.3.2 The layout of West Square was started in 1794 and was completed in about 1810. It is one of the earliest surviving Georgian squares in south London. The terraces around the square are generally uniform, arranged around a central green. This uniformity was interrupted with the construction of the Charlotte Sharman School of 1884, which replaced Nos. 1-5 (consec.) West Square on the north-west side. The north-east side of the square is a reconstruction in a neo-Georgian style following war damage.

3.7.2 West Square on the other hand is a completely formal square with limited access from the north and south, which gives it a sense of privacy despite public ownership. It is enclosed by railings and overlooked by the

surrounding terraces. The square is dissected by a cross pattern of paths with trees and flowerbeds planted within the quarters. The Mulberry trees display a typical reclining habit and are of especial importance due to their likely planting date coterminous with the square itself. The enclosure of a central bed with a fence of rustic poles is entirely at odds with the Georgian elegance of the square.'

- 7.58 The WSCA is impressive and expansive with many streets and several open spaces. The emerging Elephant and Castle tall building cluster has a visual presence already within the CA. For example, in the Appellant's View 4 from Imperial War Museum gardens the proposal is separate from the emerging cluster and reads as something distinct. This effect will be more pronounced when the cluster is complete. Elsewhere within the conservation area, looking away from the cluster, Block B will have a dominant and distracting visual impact in the views south down Hayles Street and from West Square.
- 7.59 At Hayles Street the broad, soaring form, viewed obliquely at the end of the street will be particularly dominant. This can be seen in the Appellant's View 8. However, it should be noted that the view location is on the western side of Hayles Street. Should the viewer cross the road the visual effect will be greater, as the whole building will be visible. See my Figure 9. As explained earlier, on West Square the proposal will appear obliquely almost as two interlocking buildings rising beyond the South side and visible from almost every part when the trees are not in leaf. The effect is negative.
- 7.60 The WSCA is of High value. Whilst West Square lends its name to this designation the conservation area itself is extensive and, even when the effect on Hayles Street is considered, the proposal has a limited impact on the conservation area. The change to the setting will be Minor. Using the table from the British Standard document the Impact of Magnitude will be Small. I consider the harm to its significance to be less than substantial.

7.61 Historic England also identifies harm to the West Square Conservation Area. It states:

‘AVR05B and AVR08 illustrate that Block B would loom above the rooflines of a number of townscape views currently uninterrupted by tall building development. In our view these impacts would detract from the architectural composition of the Georgian and Victorian terrace houses, some of which are listed, that define the character of the West Square Conservation Area. We therefore consider that these proposals would harm the significance of the West Square Conservation Area. ‘

Heritage Impact Conclusion

7.62 The table below summarises the harm I have identified to heritage assets:

Status	Name	Degree of Harm
Grade II	Masters House	Less than substantial
Grade II	Water tower	Less than substantial
Grade II	Former Court House	Less than substantial
Grade II	Nos. 14 – 33, and 46, 48 & 50, and 52, 54 & 56 Walcot Square	Less than substantial
Grade II	Nos. 20 – 45 West Square	Less than substantial
Grade II	Nos. 18 – 28 St Mary’s Gardens	Less than substantial

Grade I and Grade II	Lambeth Palace & St Mary's Church tower group	Less than substantial
Conservation Areas	Renfrew Road	Less than substantial
	Lambeth Palace	Less than substantial
	Walcot	Less than substantial
	West Square	Less than substantial

7.63 As explained in this section the harm ranges from asset to asset. The cumulative effect on the heritage assets above is less than substantial harm.

7.64 The Planning (Listed Buildings and Conservation Areas) Act 1990 (section 66(1)) places a statutory obligation on the Council in respect of listed buildings to pay 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Para. 193 of the NPPF (February 2019) states that when considering the impact of proposed development on designated heritage assets "great weight" should be given to the asset's conservation:

'193 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

7.65 The statutory presumption and NPPF's 'great weight' in favour of preservation of designated heritage assets runs as a thread through the statutory local development plan for London Borough of Lambeth which is made up of the London Plan (2016) and Lambeth Local Plan (2015).

London Plan (2016)

- 7.66 Policy 7.8 Heritage assets and archaeology. I do not consider that the proposals meet the requirement of Part D which states:

'(D) Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural details.'

Draft intend to publish London Plan (2019)

- 7.67 D9 Tall Buildings: Where tall buildings are acceptable in principle, (C) (1) (d) seeks to:

'avoid harm to the significance of heritage assets and their settings. Proposals resulting in harm will require a clear and convincing justification, demonstrating that alternatives have been explored and that there are public benefits that outweigh the harm. The buildings should positively contribute to the character of the area.'

- 7.68 I do not consider that the proposed Block B would positively contribute to the character of the area.

- 7.69 HC1 Heritage conservation and growth: (c) states:

'Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.'

7.70 I do not consider that the design of Block B has met the policy requirement to ‘avoid harm’.

7.71 The **Lambeth Local Plan (2015)** policies relevant to this case are:

Policy Q21 Statutory Listed Buildings Summary: (iv) seeks to conserve special interest and protect their setting.

Policy Q22 Conservation areas Summary: seeks to preserve or enhance their character or appearance and (a) (ii) protect their settings.

Policy Q23 Local Heritage List Summary: establishes the list and seeks to protect assets on it including (b) (iii) setting.

Policy Q26 Tall and Large Buildings: Summary: Where tall buildings are accepted in principle they will be supported where: (a) (ii) *there is no adverse impact on the significance of strategic or local views or heritage assets including their settings.*

7.72 I have already shown in this section that the proposal clearly results in harm to the setting of a range of heritage assets. It therefore fails to meet the requirements of London Plan R9 (C) (1) (d), HC1 (c) and Lambeth Local Plan policies Q21 (iv), Q22 (a) (ii), Q23 (b) (iii) and Q26 (a) (ii)

7.73 Less than substantial harm results to the significance of a range of designated heritage assets. NPPF Para 194 states that harm to the setting of a designated heritage asset requires ‘clear and convincing justification’ and this is required also in Policy D9 (C) (1) (d) of the intend to Public London Plan (2019). Where (as here) less than substantial harm would be caused, NPPF Para 196 requires the decision-maker to weigh the harm to significance against the public benefits of the proposal. This matter is explored by Mr Holt in his evidence relating to public benefit.

Effect of the Proposal on Protected Views

8.1 Policy Q25 of the Lambeth Local Plan (2015) identifies a range of views of local interest. The general policy objective (a) is to *‘protect their character and composition from harm’*. There are two types of view and each has its own additional designation objectives:

Type	Policy Objective
(b) 1) Panorama View	‘No foreground or mid-ground development harms an appreciation of the view or the landmarks within it’.
(b) 2) Landmark Silhouette	‘No foreground development obscures an appreciation of, and no background development harms the silhouette.’

8.2 Landmark Silhouette View (xv) is relevant to this case:

‘View E from Victoria Tower Gardens and SE from the Member’s Terrace of Houses of Parliament to the Lambeth Palace Complex (including St Mary’s Church Tower.’

8.3 The Palace’s river frontage is its most public front and has long been the subject of paintings and illustrations. See Figure 12. In this view the individual phases of the Palace’s construction can be clearly discerned in views from left to right (see Figure 13):

- F. Blore Building – is a mansion completed 1833 as the Archbishop’s London residence. It was designed by Edward Blore in a Tudor Gothic style and is faced with Bath stone. It has a picturesque roofscape of battlements, towers and turrets.

- G. Lollard's Tower – was erected by Archbishop Chichele in 1434-5. It is faced with roughly coursed Kentish Ragstone except to the East and South fronts which are of red brick, with stone quoins. It is battlemented and has a bell-cote on the South-east side with cusped and traceried barge-boards to its gable.
- H. Great Hall – was rebuilt by Archbishop Juxon circa 1660. It has a Gothic style windows combined, with a classical frieze and pediments. The roof is carried by buttresses , the glazed, timber framed lantern, placed centrally on the ridge of the tiled roof, has a distinctive ogee shaped dome.
- I. Morton's Tower was built by Cardinal Morton circa 1490. It is a fine early Tudor brick building in red brick. The two five-storey towers are enlivened with battlements and turrets.
- J. Former St Mary's Church tower (now Garden Museum) is just outside the Palace complex but viewed as part of the group. The battlemented tower dates from 1370 and is in coursed Kentish Ragstone with limestone dressings.

8.4 The presence of the proposal as a tall building tracking across the background in this important view of the Palace silhouette clearly fails the policy objective of (b) (2) which states:

'No foreground development obscures an appreciation of, and no background development harms the silhouette.'

8.5 The harmful effect is also at odds with London Plan (2016) Large and Tall Buildings Policy 7.7 (D) which states *'Tall buildings: (b) should not impact on local or strategic views adversely.'*

8.6 Intend to Publish London Plan (2019) Tall and Large Buildings Policy D9 (C) (1) (a) requires development to: *'make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views.'* As identified above Block B fails to meet this policy test.

9 Conclusion

- 9.1 It is my professional opinion that the proposal fails to meet the policy tests outlined in the grounds of refusal and therefore should be refused.
- 9.2 My evidence in Part 5 of this document has shown clearly that the proposal is out of keeping with the site, its local context and townscape. The site is not identified in planning policy as suitable for tall building development. Block B is oppressively tall and alien in its immediate context (Dugard Way, Brook Drive, Castlebrook Close, Dante Road, Gilbert Road, George Mathers Road, Hayles Street, Longfield Road, and Renfrew Road) , and distracting in key medium distance views (St Mary's Gardens, Walcot Square, and West Square). This is by virtue of its significant bulk, scale and mass in relation to the context. The effect is not mitigated by the elevation treatment.
- 9.3 Also, in Part 5 I have shown that the proposal creates an illegible public route which is unnecessary and is potentially unsafe because of its alignment, the absence of natural surveillance in places, and the V shaped columns of the Block B undercroft. As a public route it should not be considered a public benefit.
- 9.4 Elsewhere in Part 5 I have explained how Block B fails to achieve a high quality of architectural design in terms of its form, materials, and finished appearance. The form created by the two, interlocking parts is bulky in oblique views and alien in its immediate context, and its height is oppressive and distracting. The celluloid inspiration has not been realised in a meaningful way, and the disposition of the material palette and façade treatment visually extrudes the building's height to the detriment of its context. Furthermore, I consider that a building that achieves design excellence should enhance its context. The proposal, in contrast harms its context.
- 9.5 In Part 6 of this document I address Reason for Refusal 8. There I have shown that the communal amenity space for residents and the playspace for children is

inadequate. This is largely because the design, layout and treatment have been dictated by a misplaced desire to create a public route through the site and public space (Museum Court) within the site. Given the density of the scheme and the limited space available, it is my view that making the limited space public would not serve the amenity needs of residents nor would it provide the high standard of play space expected for children.

- 9.6 In Part 7 I have addressed putative Reason for Refusal 5. Here I have explained that the effect on the significance of a wide range of heritage assets is adverse. The cumulative harm is less than substantial. My colleague Mr Holt explains in his proof how the public benefits of the scheme do not provide the 'clear and convincing justification' for this harm as required by paragraph 194 of the NPPF.
- 9.7 In Part 8 I show how the proposal, tracking across the historic silhouette of grade I Lambeth Palace, fails to meet policies relating to local views.
- 9.8 In summary the proposal fails to meet the high standards of design expected for tall building development in London in relation to location, bulk, scale, height, appearance, impact on context, effect on heritage assets and their settings, and views. Furthermore, the quality of the communal amenity and playspace is inadequate.

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NPPF, Annex 2 Glossary

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